

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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JUN 13 1997
Federal Communications Commission
Office of Secretary

In the Matter of)

Advanced Television Systems)
and Their Impact upon the)
Existing Television Broadcast)
Service)

MM Docket No. 87-268

To: The Commission

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PETITION FOR RECONSIDERATION

Reece Associates Limited, the permittee of television broadcast station WZWY, Channel 27, Orlando, Florida ("Reece"), by its attorneys, hereby requests that the Commission reconsider its decision in the Sixth Report and Order in the above-captioned rulemaking proceeding (FCC 87-268, released April 21, 1997) ("*Sixth Report and Order*"). In support of its request, Reece states the following:

Reece and Reece's consulting engineers have been unable to thoroughly and completely assess the digital television ("DTV") allotment table and the effect the Commission's DTV channel assignments will have on WZWY's service area. This is due, principally, to the Commission's delay in providing the public with all of the information required to make such an assessment. The inability to assess the impact of the DTV channel assignments upon operation of WZWY makes Reece particularly disadvantaged because pending with the Commission is an application for modification of the construction permit for WZWY. Without the information contained in OET Bulletin No. 69, Reece will not be able to supplement its filing to demonstrate that the facilities proposed in its modification application will not cause interference to DTV licensees, thereby impairing Reece's ability to provide to the Commission the data required to process its application.

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List A B C D E

Pursuant to the rules adopted by the Commission in the *Sixth Report and Order*, "OET

Bulletin No. 69" must be used in applying the Longley-Rice methodology to calculate a DTV station's coverage area and to determine interference levels. 47 C.F.R. §§ 73.622(e), 73.623(c)(2). To this date, the Commission has not issued this bulletin to the public and it has not indicated when the bulletin will be made be available. As a result, Reece and other broadcasters have been hampered in their efforts to assess the impact DTV will have on their television stations and their service areas.

Reece is unable to thoroughly assess the DTV rules, policies and plans adopted by the Commission in this proceeding because a complete assessment requires consideration of OET Bulletin No. 69. Attached is the letter of Donald G. Everist, professional registered engineer of the engineering firm Cohen, Dippell and Everist, which supports Reece's request.

In light of the foregoing, Reece respectfully requests that it be granted the opportunity to file for reconsideration of the *Sixth Report and Order* after such time the Commission releases to the public the technical guidelines and criteria it used to develop the DTV Table of Allotments.

Respectfully submitted,

REECE ASSOCIATES LIMITED

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June 13, 1997

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June 12, 1997

Ms. Marsha Reece
Reece Associates Ltd.
1850 Long Pond Drive
Longwood, FL 32799

Re: MM Docket No. 87-268--WZKY,
Orlando, Florida

Dear Ms. Reece:

Per your request, this is to report our evaluation of MM Docket 87-268¹ as it applies to station WZKY(TV), Orlando, Florida. This firm has studied the Sixth Report and Order and has performed many studies of existing NTSC and DTV service areas including WZKY(TV) using the Institute for Telecommunication Sciences² HDTV program.

Based upon the studies, we find that it is not possible to make an independent evaluation of the potential interference

- (1) by DTV to existing NTSC service area
- (2) DTV service replication
- (3) alternate DTV frequency assignments, and
- (4) alternate station parameters such as an increase in power.

There are several reasons for this technical dilemma. First, the Commission in the proposed Section 73.622 of the FCC Rules indicates that OET Bulletin 69 provides the basis by which the DTV model has been developed. Also, OET Bulletin 69 in Section 73.623 is referenced to provide guidance for interference calculations. Unfortunately, that document has not been released by the Commission. Further, the Commission has not yet released in detail initial technical evaluation criteria on how it proposes to process DTV applications for modified facilities whether it is for a change

¹MM Docket No. 87-268, "In the Matter of Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Services", adopted April 3, 1997.

²The HDTV Model uses the Longley-Rice propagation methodology and evaluates grid cell size of 0.75-1.5 km with 3-second terrain data intervals between every 90 to 100 meters at 1 degree intervals.

COHEN, DIPPELL AND EVERIST, P. C.

Ms. Marsha Reece
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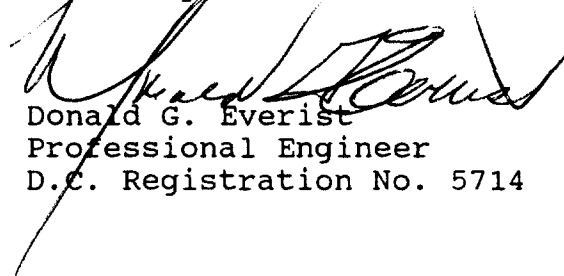
in site, increase in height, change in effective radiated power, etc.

Therefore, until these technical guidelines and criteria are provided by the Commission no meaningful evaluations can be performed for WZKY(TV).

We will perform these studies once this FCC technical information is available.

If there are any questions, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald G. Everist", is written over the typed name and title.

Donald G. Everist
Professional Engineer
D.C. Registration No. 5714

DGE:mcw
cc: Naomi Travers